

# POLICY & RESOURCES COMMITTEE

**Date:** 9 May 2012

**Venue:** East Northamptonshire House, Cedar Drive, Thrapston

**Time:** 7.30 pm

**Present:** Councillors:-

<b>Richard Lewis</b>	<b>(Chairman)</b>
<b>Glenvil Greenwood-Smith</b>	<b>(Vice-Chairman)</b>
<b>Stephen North</b>	<b>(Leader of the Council)</b>

<b>Wendy Brackenbury</b>	<b>Dudley Hughes</b>
<b>Richard Gell</b>	<b>Andy Mercer</b>
<b>Roger Glithero</b>	<b>Rupert Reichhold</b>
<b>Glenn Harwood</b>	<b>Jeremy Taylor</b>

Also Present: Councillor Philip Stearn in respect of item 5(c) Minutes of the Leisure Contracts Working Group

## 500. MINUTES

The minutes of the meeting held on 2 April 2012 were approved and signed by the chairman.

## 501. APOLOGIES FOR ABSENCE

Councillors David Brackenbury and John Farrar sent their apologies.

## 502. DECLARATIONS OF INTEREST

The following members and officers declared interests in the items as shown. Where prejudicial interests were declared, the named members and officers left the room for the consideration and voting on the items.

<b>Person</b>	<b>Agenda Item</b>	<b>Reason for Declaration</b>	<b>Prejudicial</b>
Glenn Hammons – Section 151 Officer	5(a) – minute 10.8	Current postholder	Yes
Councillor Glenvil Greenwood-Smith	5(c) – Minutes of the Leisure Contracts Working Party	Member of CCP Golf Club	Yes
David Oliver – Chief Executive	5(c) – Minutes of the Leisure Contracts Working Party	Member of CCP Golf Club	No
Councillor Richard Gell	8 – Greenway Project Phase 3	Member of Ramblers’ Association	No

Councillor Gell	Richard	10	–	Effective	Member of Higham Ferrers Town Council, which places adverts in the Nene Valley News	Yes
Councillors Lewis, Andy Mercer and Steven North	Richard	10	–	Effective	Members of Rushden Town Council, which places adverts in the Nene Valley News	Yes
Councillor Glithero	Roger	10	–	Effective	Wife delivers Nene Valley News	Yes
Lisa Hyde – Head of Community and Customer Services		10	–	Effective	Husband uses Nene Valley News to advertise business.	No

### **503. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3**

There were no questions.

### **504. MINUTES OF SUB-COMMITTEES & WORKING PARTIES**

#### **(a) Personnel Sub-Committee**

The minutes of the meeting held on 25 April 2012 were received (see pages 905 to 907) and Members considered the recommendations contained within minute 10.8 in respect of the:

- indefinite continuation of the arrangement for buying in the services of the Section 151 Officer from LGSS, and
- approving the recruitment of a Finance Manager with a Special Responsibility Allowance of £2,000 for being Deputy Section 151 Officer, subject to the involvement of two Personnel Sub-Committee members in the appointment process due to the unique nature of the role.

#### **R.24 RESOLVED TO RECOMMEND:**

That the recommendations in this minute be approved.

*(Reason – To comply with legal requirements and provide the council with the necessary financial expertise and capacity)*

#### **(b) Waste and Recycling Working Party**

The minutes of the meeting held on 25 April 2012 were received (see pages.908 to 910) and approved.

### **(c) Leisure Contracts Working Group**

The minutes of the meetings held on 28 February 2012 and 12 April 2012 were received (see pages.911 to 920) and the recommendations within minutes 5.4 of 28 February 2012 and minutes 2.2.1, 3.1.4, 3.2.1 and 4.3.6 of 12 April 2012 were considered.

#### **RESOLVED:**

That the recommendations in the minutes indicated, as set out below, be approved:-

#### **Minute 5.4 – Scape Framework**

That the Working Group, pending review of the contractors included on the framework schedule, progress with a Scape Framework to appoint a contractor to complete the Invest to Save improvement works.

*(Reason – to shorten the lead in period to appoint a contractor to undertake the improvement works to the Pemberton Centre, so that the expected savings can be realised sooner to meet the savings identified in the Medium Term Financial Strategy for 2013/14.)*

#### **Minute 2.2.1 – Revised Terms of Reference**

That the revised Terms of Reference of the Leisure Contract Working Group be approved.

#### **Minute 3.1.4 – Appointment of Leisure Contractor**

- (1) That Keir be appointed to undertake the improvement works for the Pemberton Centre.
- (2) That Mansell be appointed to undertake the improvement works at the Nene Centre.

*(Reason – Keir is a local employer and Mansell have already been appointed to undertake the work on the Nene Centre roof)*

#### **Minute 3.2 – Appointment of Project Manager**

That Pick Everard be appointed to provide Project Management for all the projects.

*(Reason – Pick Everard is a locally based company and the only one available to “call off” from the Scape Framework for project management.)*

#### **Minute 4.3.6 – LCWG Decision re procurement of leisure facilities management**

That a three-year extension to the Leisure Facilities management contract be negotiated with CCP, subject to a service level agreement that delivers the services required by the Council and contributes to the savings identified within the Medium Term Financial Strategy.

*(Reason – Having regard to the risks of terminating the contract in August 2013 and to safeguard planned financial efficiencies.)*

In discussing the minutes, Members agreed that it would be useful for the Leisure Contracts Working Party to examine business continuity arrangements for the Splash Pool in order to provide the council with sufficient reassurances in respect of this area of leisure provision.

**RESOLVED:**

That a report on business continuity arrangements at the Splash Pool be submitted to a future meeting of this committee.

*(Reason – To provide reassurance in respect of the continued provision of services in the event of an emergency or unforeseen event.)*

**(d) District Regeneration Working Party**

The minutes of the meeting held on 17 April 2012 were received (see pages 921 to 923) and, subject to the inclusion of the apologies of Councillor Richard Lewis being recorded, were approved.

**505. HOMELESSNESS GRANT 2012/13 – REQUEST FOR RELEASE OF FUNDS**

Members considered a report from the Housing Strategy Manager which sought approval for the release of funds from the Homelessness Grant 2012/13 for the Private Sector Leasing Project.

The request had been received from Rockingham Forest Housing Association, the Council's partner in the Private Sector Leasing scheme, to contribute half of the outstanding debt on a property in Rushden within the scheme which had been the subject of damage during the previous tenancy. The debt on the property came to a total of £3735.06 and, if the Council agreed to the proposal to cover half of the debt, Rockingham Forest Housing Association would cover the remaining sum. Whilst the tenancy to which the debt related started two weeks after the Framework Agreement ended, officers recommended that the Committee consider the request as:

- It was only two weeks outside of the agreement;
- The private sector leasing scheme had overall been very good value for money, and no other requests for deficit funding had been made by Rockingham Forest Housing Association since it commenced in 2009;
- Providing this funding would demonstrate a commitment to partnership working and ensure the willingness of all parties to continue with the project
- The original payment of £7,500 in 2009 by the council was to cover the start up costs and Rockingham Forest Housing Association had taken on all the costs of making properties available and have not approached the council for further contributions towards such costs until this time.

Members were generally supportive of the proposal and sought clarity in respect of whether housing benefit payments could be re-directed to landlords, rather than being directly paid to tenants.

**RESOLVED:**

That the release of £1,867.53 from the Homelessness Grant 2012/13 for the Private Sector Leasing project be approved.

*(Reason – To assist with the continued delivery of the Private Sector Leasing project)*

## **506. NEW HOMES BONUS: ALLOCATION TO COMMUNITY-BASED PROJECTS**

The committee considered a report which sought approval of an appropriate rationale for the allocation of New Homes Bonus to the communities of East Northamptonshire.

At the budget setting workshops earlier in the year Members had indicated that several factors should be applied when considering how to allocate New Homes Bonus funds to community-based projects. The approach should:

- reflect where geographical areas of the district have experienced growth;
- fund infrastructure projects to support future growth;
- support small local projects as well as large infrastructure plans, i.e. small sports club facilities as well as new multi-purpose community facilities;
- introduce a process for community participation and bidding into the fund;
- support identified needs and initiatives arising from Master Plans, Community Plans and Parish Plans;
- be open to Town and Parish Councils and constituted community groups;
- support initiatives that establish 'quick wins'; and
- ensure administrative processes for the scheme are kept lean, ensuring maximum community allocation spending of the money available.

Three proposed streams had been developed for New Homes Bonus spend on community-based projects:-

- Stream 1 – Member Empowerment Fund – to support local community projects taking place in Members' wards.
- Stream 2 – Community Projects – for medium sized community infrastructure projects up to £50,000, where community groups, community partnerships and town and parish councils would be invited to submit outline proposals for funding for projects.
- Stream 3 – Major Infrastructure Projects – for larger infrastructure projects over £50,000, which are likely to be regeneration projects requiring detailed development and would take a longer period of time to complete.

The report proposed an increase in each councillor's allocation for the Member Empowerment Fund from £500 to £1,000 per year in order to support small local projects. Following the approval of the overall 2012/13 budget it was also proposed that £20,000 of the Community Planning budget should be released to support the community development work, as detailed within the Community Development Strategy.

Members broadly welcomed the proposals and commented on the efficiency of the Member Empowerment Fund in distributing monies within wards. It was recommended that a press release be issued highlighting where such monies had made a difference to communities across the district and that this would be a useful reference for all Members for the future. It was also felt appropriate for Members to build up funds on a year-by-year basis in order for larger sums to be distributed, although the committee considered that deadline for spending monies should be April 2015 ahead of the next local election.

**RESOLVED:**

- (1) That the proposed rationale for allocating the New Homes Bonus to community-based projects, including the increase to £1,000 of the funds available to councillors through the Member Empowerment Fund, be approved.

*(Reason – To take forward projects and initiatives identified in community-led plans.)*

- (2) That the release of the £20,000 Community Planning budget in the 2012/13 budget be approved in order to support community development work in line with the approved Community Development Strategy.

*(Reason – To support the work identified within the Community Development Strategy.)*

- (3) That a further report be submitted to the Committee outlining the detailed criteria and application process for stream 2.

*(Reason – To assist with the consideration of applications.)*

**507. EAST NORTHAMPTONSHIRE GREENWAY – PHASE 3**

The committee considered a report which sought approval for the release of Section 106 monies to support the construction of Phase 3 of the East Northamptonshire Greenway project.

Approval had previous been given to securing external funding and Section 106 monies to deliver future phases of the Greenway at the meeting on 4 July 2011 (minute 82 refers). The project board had met in April 2012 to consider proposals for constructing Phase 3 of the project and had agreed to the use of golden gravel as the surface material over a longer part of the route.

In noting the report, the committee requested clarification in respect of the impact of flooding on the proposed surface material and it was confirmed that it would not be adversely affected. It was also recommended that the Project Board communicate the proposals to Higham Ferrers Town Council as a significant part of the route fell within the town council's area.

**RESOLVED:**

- (1) That the minutes of The Greenway Project Board meeting held on 13 April 2012 and the approval given by the Board for phase 3 to go ahead be noted.
- (2) That the release of the section 106 monies for phase 3 be approved.

*(Reason – To ensure the East Northamptonshire Greenway project continues to provide facilities for local people to enjoy a Good Quality of Life.)*

**508. EMPTY PROPERTY STRATEGY**

The committee received a report requesting approval to update the Council's Empty Property Strategy and informing members of the results from the Empty Homes Project to date.

An Empty Property Strategy had been in place since 1999 and had last been amended in 2008. Since March 2011, a joint project with Corby Borough Council had been in operation with the aim of bringing empty properties back into use. It was verbally reported to the committee that 58 empty properties had been brought back into use at the end of March 2012. In the context of this project, along with new government initiatives and increased media attention, it was recommended that the strategy document should be updated.

**RESOLVED:**

- (1) That the Equalities Impact Assessment within the updated strategy document be approved.

*(Reason: To ensure members are satisfied with the findings of the EIA)*

- (2) That the updated Empty Property Strategy, as submitted, be approved.

*(Reason: For members to approve the updated strategy document for publication)*

**509. COUNCIL PROCEDURE RULE 8 – DURATION OF MEETING**

At 9.26 pm, the meeting having lasted for almost two hours, it was

**RESOLVED:**

That the remaining business on the agenda be completed.

**Councillor Greenwood-Smith, in the Chair in the absence of the Chairman owing to a declaration of a prejudicial interest.**

**510. EFFECTIVE COMMUNICATIONS WITH OUR RESIDENTS, AND OPTIONS FOR NENE VALLEY NEWS**

The Committee considered a report setting out a number of options for effective communications with residents in East Northamptonshire and asking Members to approve a way forward.

Four options were presented to members:

- Discontinue Nene Valley News when the contract expires in March 2013 and work with affected groups to develop alternative channels of communication;
- Design Nene Valley News in house and publish quarterly as an 8 page publication online-only version, with no advertising, and work with affected groups to develop alternative channels of communication;
- Change frequency of Nene Valley News to a quarterly 8 page publication with no advertising and designed in house
- Continue with Nene Valley News in its current form and approve the tender process to start in September 2012 for a further two year contract to run from 2013 until 2015.

Reference was made to the changing communications landscape taking account of technological developments. However, the committee noted that the Nene Valley News currently provided the only complete district-wide advertising coverage.

Members considered the four options and strongly supported the retention of the status quo, citing the value of the publication in those areas of the district which did not have a reliable broadband network connection and for those groups, such as older people, who did not use the internet to access information in respect of the council and its activities. Having regard to the Revised Code of Practice on Local Government Publicity, it was

**RESOLVED:**

That the Nene Valley News continue to be published in its current form and the tender process commence in September 2012 for a further two year contract to run from 2013 until 2015.

*(Reason: To ensure that residents are kept in contact with the activities and services of the Council throughout the year)*

**Chairman**





## Personnel Sub-Committee

### Minutes of a meeting held on 25 April 2012 at East Northamptonshire House, Thrapston

#### Present:

Councillors

Roger Glithero (Chairman)  
Wendy Brackenbury  
Steven North

David Oliver  
Aime Armstrong  
Mike Deacon  
Katy Everitt

Chief Executive (DO)  
Human Resources Manager (AA)  
Head of Environmental Services (MD)  
Head of Resources and Organisational Development (KE)

#### Action

#### 1.0 MINUTES

1.1 The minutes of the meeting held on 20 March 2012 were approved and signed by the Chairman.

#### 2.0 APOLOGIES

2.1 Councillor Jeremy Taylor sent his apologies.

#### 3.0 DECLARATIONS OF INTEREST

3.1 There were no declarations of interest

#### 4.0 QUESTIONS

4.1 There were no questions.

#### 5.0 XCHANGE

5.1 The minutes of the meeting of Xchange, held on 13 March 2012, were received. It was noted that a number of employees had raised issues relating to tax codes and HMRC and this situation was ongoing.

#### 6.0 PAY AND REWARD STRATEGY

KE

6.1 KE reported that the Pay and Reward Strategy would be produced inside the next twelve months, although there was a need to ensure production would be compatible with the existing work programme.

6.2 It was noted that there needed to be clear terms of reference for the work and it was suggested that a member of the sub-committee be invited to work with KE and AA to pull the terms of reference together. A further update report would be presented to the next meeting of the sub-committee

## **7.0 REVIEW OF HR POLICIES AND PROCEDURES**

**KE**

7.1 KE reported that work is currently being undertaken in conjunction with the Policy Team to collate the present 35 policies and procedures into four larger policies containing subsections, which could then be reviewed.

7.2 It was noted that KE and AA would be meeting with the Policy Team on 26 April 2012 to discuss action.

7.3 This grouping of policies and procedures would identify any potential gaps, overlaps and inconsistencies which could then be amended to condense the overall size of the four policies.

7.4 It was further noted that an update report would be presented to the next meeting of the sub-committee.

## **8.0 DATE OF NEXT MEETING**

8.1 The sub-committee noted that the next meeting had been scheduled for Tuesday 12 June 2012 at 2pm.

## **9.0 EXCLUSION OF PUBLIC**

### **9.1 RESOLVED**

That the public and press be excluded from the meeting during consideration of the following items of business because exempt information, as defined under paragraphs 1 and 2 of Part 1 of Schedule 12a of the Local Government Act 1972, may be disclosed.

## **10.0 OPTIONS FOR PROVISION OF FINANCE SUPPORT AND ADVICE**

10.1 The Chief Executive presented a report to the sub-committee which sought member recommendation on a long-term solution to provide ENC with adequate financial expertise and capacity, following the decision in March 2012 not to appoint any of the candidates for the Head of Finance role.

10.2 It was noted that the current interim S151 Officer, Glenn Hammons, had been appointed in the role for a 6 month period from 29 November 2011 and that the arrangement had so far been extremely successful.

10.3 Members of the sub-committee were provided with details of the two viable options going forward:

- Return to the previous model of a part-time S151 Officer plus a full-time Finance Manager
- To re-advertise the Head of Finance role in the hope of better quality candidates

- 10.4 Members expressed their desire to retain Glenn Hammons in the role of part-time S151 Officer and supported the concept of appointing a new Finance Manager, given the many financial risks that need to be managed over the coming year or two and the need for a permanent full-time finance resource. They also felt that, given the experience of trying to recruit to the Head of Finance post, there was no point re-advertising the position.
- 10.5 Members noted the financial implications of this option, which effectively reversed the saving that was made when the post of Head of Finance was created in November 2011. They also noted that these increased costs could be covered for the next 2 years by the savings due to the Finance Manager post being vacant for several months.
- 10.6 Members also stated their wish to play a role in the appointment process, although the post was below Head of Service level, due to the unique situation whereby the successful candidate could frequently assume the deputy S151 Officer role.
- 10.7 The sub-committee was made aware that the Pay Policy Statement did not include the £2,000 Special Responsibility Allowance for the Finance Manager. The policy would therefore need to be amended to reflect that.

10.8 **RESOLVED TO RECOMMEND:**

That the recommendations set out in the report be recommended to Council, subject to the involvement of two Personnel Sub-Committee members in the appointment process of the Finance Manager due to the unique nature of the role.

11.0 **STAFF PROPOSAL SP13**

- 11.1 MD presented the sub-committee with a report requesting the approval of a small scale restructure within a service area of the council. It was

11.2 **RESOLVED:**

To approve the recommendations as laid out in the officer report.

12.0 **STAFF PROPOSAL SP12 - UPDATE**

- 12.1 MD presented a report which provided an update to a proposal that had been before the Personnel Sub Committee in February 2012. It was

12.2 **RESOLVED:**

To approve the recommendations as laid out in the officer report.

**Chairman**

## MINUTES

<b>Held on:</b>	25 April 2012
<b>Time:</b>	2.00pm
<b>Place:</b>	Room CHG2, East Northamptonshire Council, Thrapston
<b>Present:</b>	<p>Councillors: Glenn Harwood (Chairman) (GH), David Bateman (DB), Steven North (SN), Tony Boto (TB), Eloise Lucille (EL), Wendy Brackenbury (WB), Sylvia Hobbs (SH), Richard Lewis (RL) and Clive Wood(CW).</p> <p>Officers: Mike Deacon (MD) Head of Environmental Services, Charlotte Tompkins (CT) Waste Manager, Mike Bailey (MB) Waste Officer and Zena Ireland (ZI) Administration Officer</p>

### Action

- 1.0 Minutes of the Meeting held on 11 January 2012**
- 1.1 Councillor Glenn Harwood opened the meeting.
- 1.2 GH and CT visited the Pure Recycling Plant on 16 April 2012.
- 1.3 **At the meeting it had been resolved to recommend:**  
The Members agreed in principle to accept the recommendations made in the report. Also that the proposed new fees and charges for the Garden Waste Service be included in the corporate fees submitted to the Finance Working Party.
- 1.4 The possibility of sample food container liners will be discussed under agenda 8 of the meeting.
- 1.5 ZI arranged the quarterly meeting.
- 1.6 The minutes of the meeting held on 11 January 2012 were approved as a true record by the working party.
- 2.0 Apologies for Absence**
- 2.1 Councillor Roger Glithero sent his apologies.

- 3.0 Declarations of Interest**
- 3.1 There were no declarations of interest.
- 4.0 Matters Arising:**
- i) Pure Recycling Visit**
- 4.1 CT and GH visited the plant on 16 April 2012 and observed a materials monitoring exercise being carried out on 30 tonnes of recyclate from East Northamptonshire. The load was being quality checked; there was contamination mostly consisting of textiles, a small amount of food and garden waste. The tolerance level for contamination from the recycling is set at 5%, in the exercise 10% contamination level was found. CT stated that some additional work needs to be done around the education on recycling.
- ii) Bid for Support for Weekly Collections**
- 4.2 CT provided an update on the funding that is being applied for. East Northamptonshire Council has filed an expression of interest and CT is working on a bid on behalf of the county. A discussion took place on the success of the new waste collection scheme and where any funding could be used.
- iii) Oundle Recycling Centre Update**
- 4.3 MD stated that he had received a letter from Oundle Town Council in March which stated that after carrying out their feasibility research it was not viable for them to re-open and run the site. The Finance Working Party has indicated that the Herne Park site may be sold. CT confirmed that at present there are un-manned recycling banks site available for residents to use.
- 5. Waste Contract Update**
- 5.1 CT shared with the meeting a table showing the Performance Indicators from the start of the new waste contract in August 2011. CT explained how contractor records a missed bin collection via the IT equipment in the lorries; TB asked about the reasons for missed collections and WB asked about issues with the weight of the wheeled bins.
- 5.2 GH stated that it might be useful for the W&RWP to visit the Chelveston Depot and see the IT equipment in the lorries. CT confirmed that the integration work linking the computer systems at ENC and Kier should be complete soon, once up and running she can do a demonstration for the group and explain how the different systems work.
- 5.3 SN mentioned that he had noticed a drop in the number of food caddies being presented by residents on collection day in his area and that it would be useful to look into why. CT confirmed that this could be looked at as part of a future composition study.
- 6. Northamptonshire Waste Partnership Update**
- 6.1 GH and SN were unable to attend the last meeting so MD attended on their behalf. MD confirmed that a review of the Northamptonshire Joint Municipal Waste Management Strategy is taking place and a new strategy is being developed, a draft was circulated. The finalised document will go to P&R to be signed off.
- 6.2 MD mentioned that on 31 May 2012 a workshop is being held to look at the future direction of the Northamptonshire Waste Partnership, to include Members and Officers.

- 7. Garden Waste Service**
- 7.1 CT confirmed that a Members Briefing was issued in March to provide an update on the latest developments with regards to the introduction of the Garden Waste Service and launch which took place on 5 March 2012.
- 7.2 The meeting discussed the successful launch of the Council's new garden waste collection service and the number of residents in excess of 600 that have already signed up.
- 7.3 The working party was asked to endorse the decision made by Members which was to proceed with the ENC Garden Waste Service despite Biffa also providing a commercial based service to the residents of East Northamptonshire. This was agreed.
- 8. Food Waste Liners**
- 8.1 CT provided the meeting with a short report on the approximate costs and funding the could be available for the provision of food waste liners. After a discussion on the report it was confirmed that it was only for information at this stage and was dependant on the outcome of the bid for Support for Weekly Collections from the Government.
- 9. Packaging Seminar - Feedback**
- 9.1 CT and RL were invited to attend a Packaging Seminar, this was a focus group made up of key people including large retailers. The idea was to discuss ways in which manufacturers and producers can reduce food packaging.
- 10. County Residual Waste Project Update**
- 10.1 MD shared with the meeting an update prepared by Northamptonshire County Council on the procurement of new contracts for the treatment and disposal of residual waste. MD confirmed that once the new Service Level Agreement was drafted it would go to P&R for approval.
- 11. Domestic Waste Storage and Collection Supplementary Planning Document Consultation Draft**
- 11.1 The meeting discussed the new document that has been prepared jointly by East Northamptonshire Council's Planning and Waste Teams. The aim of the document is to provide detailed design guidance to developers in order to address domestic waste issues in new residential developments in the district. The meeting agreed that this would be a useful aid to all.
- 12. Commercial Waste Collection**
- 12.1 The meeting discussed the possible development of the Commercial Waste Collection Service.
- 13. Dates of Future Meeting**
- 13.1 GH suggested that the date of the next W&RWP meeting is set after it has been decided who will sit on the working party.

## *Leisure Contracts Working Group*

### **MINUTES of a meeting held on Tuesday 28 February 2012 at 3.30pm in Room CHG2 at East Northamptonshire House, Thrapston**

#### **Present:**

<b>Councillors:</b>	Cllr Tony Boto	TB
	Cllr David Jenney	DJ
	Cllr Brian Northall	BN
	Cllr Philip Stearn	PS
<b>Officers:</b>	David Oliver, Chief Executive	DO
	Lisa Hyde, Head of Customer & Community Services	LJH
	Katy Everitt, Head of Resources & Organisational Development	KE
	Richard Hankins, Amenities Manager	RH
	Sharon Prior, Executive Support Officer (Minutes)	SP
	Tony Hall, Head of Welland Procurement Unit	TH

#### **ACTION**

1. **Apologies**
- 1.1. Councillors Sarah Peacock and Philip Hardcastle sent their apologies.
2. **Welcome**
- 2.1. LJH welcomed everyone to the meeting, and advised that this Working Group would feed back into Policy & Resources Committee following each meeting with any recommendations.
3. **Election of Chairman and Vice-Chairman**
- 3.1. Cllr Brian Northall nominated Cllr Philip Stearn as Chairman of the Working Group, seconded by Cllrs Tony Boto and David Jenney. Cllr Philip Stearn accepted his role as Chairman the Working Group.
- 3.2. Cllr Philip Stearn nominated Cllr David Jenney as Vice-Chairman of the Working Group, seconded by Cllrs Brian Northall and Tony Boto. Cllr David Jenney accepted his role as Vice-Chairman of the Working Group.
4. **Terms of Reference**
- 4.1. DO explained a number of changes were required to the current Terms of Reference, approved at Policy & Resources Committee on 5 December 2011, which were noted. The Working Group members then noted their additional changes to this document; **LJH/SP**

**ACTION**

LJH/SP to revise.

- 4.2. DO explained the Invest to Save improvement works proposed for the Nene Centre would not be considered by this Group at this time, as this would be included as part of the project to replace the Nene Centre roof. This Group would concentrate on the Invest to Save improvement works to the Pemberton Centre, as well as the new Leisure Facilities Management Contract for the three sites (Pemberton, Splash and Nene Centre). The Terms of Reference would need to be revised to reflect this.

**LJH/SP**

- 4.3. The Working Group, pending completion of the amendments outlined above, approved the Terms of Reference. A revised Terms of Reference would be considered by Policy & Resources Committee on 9 May 2012 for formal approval.

- 4.4. LJH advised that when CCP representatives attend any future meetings, they could only be involved in discussions on the "Invest to Save" improvement works and not leisure facilities contract management discussions, and therefore any future meetings will be split into two parts.

**RESOLVED TO RECOMMEND**

The Working Group **RESOLVED TO RECOMMEND** to Policy & Resources Committee on 9 May 2012, that a revised Terms of Reference for the Working Group be formally approved.

**SP – P&R 2  
April 2012**

5. **Invest to Save Project**

5.1. **Current East Northamptonshire leisure facilities**

- 5.1.1. LJH outlined details of the leisure facilities currently provided by the Council:-

- The Pemberton Centre, Rushden – dry sports facilities only
- Splash Pool, Rushden – swimming/leisure pool only
- Nene Centre, Thrapston – dry/wet sports facilities

- 5.1.2. LJH noted the "Invest to Save" project concentrated on The Pemberton Centre and the Nene Centre only, and because there was no potential for savings at the Splash Pool. General ongoing maintenance and repair works to the Splash Pool are included as part of the Capital Programme for 2012/13.

5.2. **Invest to Save Proposals**

- 5.2.1. A confidential report considered at Policy & Resources Committee on 29 September 2011 outlined the full details of the "Invest to Save" Project. A copy of this report would be circulated to the Working Group for information, as requested.

**LJH/SP**

- 5.2.2. FMG Consulting were appointed by the Council in July 2011 to undertake an independent analysis of The Pemberton Centre and



## ACTION

Nene Centre to:-

- Review the current performance of the Centres.
- Assess latent demand for health and fitness and associated leisure in (1) a 4 mile radius of the Nene Centre, (2) a 2 mile radius of the Pemberton Centre.
- Develop outline proposals and feasibility for capital investment in centres to take advantage of potential business growth and subsequently reduce Local Authority management fee.

Their proposals for The Pemberton Centre suggest:

- Conversion at the first floor gym to a 77 station gym.
- Extending the ground floor gym area for a further 23 stations.
- New changing facilities.
- Improvements to entrance and communal areas.
- General refurbishment to other areas.

The proposed timetable to complete these works was approximately 8-10 weeks, and the Centre would not need to be fully closed during this time.

A full copy of FMG's findings was requested by Cllr David Jenney. LJH/SP to circulate a copy to Members for review.

**LJH/SP**

5.2.3. Cllr Philip Stearn enquired on the timetable for completing these works. LJH confirmed the expected savings in terms of a reduction in funding to CCP and increased income had been built into the Medium Term Financial Strategy for 2013/14 and that the savings would need to be realised from this period if possible. Cllr Philip Stearn suggested that these works would need to be completed in 2012 as the ideal; DO agreed with this statement.

5.2.4. Cllr David Jenney suggested development of external sports facilities also be included in these works, in terms of providing an Astroturf sports pitch, as this had the potential to create significant income. Cllr Philip Stearn requested that this suggestion be considered separately, outside of this Working Group.

### 5.3. **Presentation by Tony Hall, Head of Welland Procurement**

5.3.1. TH made a presentation to the Working Group outlining the procurement rules that would need to be followed to undertake these improvement works. The options available were noted as either a full tender process (potential timescale: 5-8 months) or a Scape framework (potential timescale: 2-3 weeks).

**SP**

### 5.3.2. **Scape Framework**

TH explained the Scape Framework:-

- A framework is available through Scape (a local authority owned company formed specifically to assist local authorities in construction procurements).
- A framework means that the tendering requirements have already been done and do not need to be repeated.

## ACTION

- Scape would assign one of one of the major construction companies on its framework to be the main contractor, and this main contractor would appoint sub-contractors as necessary, which can include the Architects. Using frameworks substantially reduces the time taken in establishing the build team.
- Scape charges a fee, typically under 1%, for use of its frameworks.

5.3.3. Following detailed consideration of the options outlined, the Working Group agreed to progress with a Scape framework in principle, pending a review of the companies included on the Scape framework contractor schedule.

5.4. The Working Group **RESOLVED TO RECOMMEND** to Policy & Resources Committee on 9 May 2012 the following:-

- That the Working Group, pending review of the contractors included on the framework schedule, to progress with a Scape framework to appoint a contractor to complete the Invest to Save improvement works.

*(Reason – to shorten the lead in period to appoint a contractor to undertake the improvement works to the Pemberton Centre, so that the expected savings can be realised sooner to meet the savings identified in the Medium Term Financial Strategy for 2013/14)*

## 6. **Leisure Facilities Management Contract**

### 6.1. **Current Position**

6.1.1. LJH outlined the current position with the management agreement with CCP:-

- A Cultural Trust was created by the Council, which commenced trading in August 2003.
- That Trust became Cultural Community Partnerships (CCP) and a management agreement with the council was agreed in June 2003 to provide leisure facilities, for a 10 year period which expires in August 2013.
- The Trust has a Board of Trustees, and appointed Cllr Greenwood-Smith as a Council observer, who attends Board meetings.
- CCP receive £596,000 in funding from the Council, based on a 3-year business plan up to March 2012.
- The Trust also receive 80% NNDR rate relief - £192,000, due to its charitable status.

Details of CCP's current good performance was also noted.

A copy of CCP's management agreement and current business plan were requested by Working Group members, as background information.

### 6.2. **Leisure Facilities Management – Procurement Options**

## ACTION

6.2.1. The Working Group considered a table of options available in terms of procurement for a new contract, together with associated advantages and disadvantages with each option. These options were noted as:-

- Option A** Start procure now with invest to save projects completed in 2012/13, for new contract in place for August 2013.
- Option B** Start procurement once all improvements (including replacement of Nene Centre roof) have been delivered, with new contract in place for April 2014.
- Option C** Procure once all improvements have been delivered and there is a track record of subsequent operational performance, with a new contract in place for April 2015.

The Working Group noted their comments on each of the options listed.

6.2.2. TH then presented details of the only option available to procure a new Leisure Facilities Management Contract/Agreement. This option was to go through a full tender procedure using a Competitive Dialogue, with an expected timescale of approximately 10-18 months.

6.3. The Working Group **RESOLVED TO RECOMMEND** to Policy & Resources Committee on 9 May April 2012 the following:-

- To proceed with Option B (listed above), which included the option to extend CCP's management contract by 8 months and begin the Competitive Dialogue process in January 2014.

*(Reason – to complete improvement project in 2012, and start procurement for new leisure facilities management contract in 2013).*

## 7. Leisure Contracts Working Group – Future Work Programme

### 7.1. **Site Visits**

The Group agreed to make a site visit to The Pemberton Centre as part of their next meeting. A visit to the Splash Pool would also be included. This site visit would be arranged within the next two weeks.

LJH/SP

### 7.2. **Actions**

The Working Group agreed the following actions:-

- Additional background information to be circulated to the Working Group, noted as:-
  - Confidential Policy & Resources Committee report (29 September 2011) – Options for Leisure Facilities Management.

LJH/SP

**ACTION**

- Presentations made by Tony Hall at the meeting – Invest to Save Project and Procurement Options for Leisure Facilities Management.
- FMG Consulting – full report dated July 2011.
- CCP management agreement.
- CCP Business Plan 2011-2012
- Site visits to The Pemberton Centre and Splash Pool be arranged, to include the opportunity for CCP staff to provide information on how the facilities are currently run. These site visits would need to be arranged within the next 2 weeks.
- Future meetings of the Working Group would need to coincide with the competitive dialogue process. LJH agreed to prepare a timeline for this process for information.

**7.2. Date of Next Meeting**

The Group agreed to arrange a further meeting, as a site visit to the Pemberton Centre and Splash Pool; LJH/SP to circulate possible meeting dates.

**LJH/SP**

The meeting closed at 5.49pm

LJH/SP 29.2.12 (rev 1.3.12 and 14.3.12)

## Leisure Contracts Working Group

**MINUTES of a meeting held on Thursday 12 April 2012  
at 2pm at the Splash Pool and Pemberton Centre, Rushden**

**Present:**

<b>Councillors:</b>	Cllr Phil Stearn (Chairman)	PS
	Cllr Tony Boto	TB
	Cllr David Jenney	DJ
	Cllr Brian Northall	BN
	Cllr Sarah Peacock	SP
<b>Officers:</b>	David Oliver, Chief Executive	DO
	Lisa Hyde, Head of Customer & Community Services	LJH
	Katy Everitt, Head of Resources & Organisational Development	KE
	Barbara Wiggins, PA to CX (Minutes)	BW
	Peter Williams, Chief Executive, CCP	PW
	Chris Tye, Operations Manager CCP	CT

**1 Site Visits**

- 1.1 The Working Group visited the Splash Pool and Pemberton Centre prior to the formal business. The Group was accompanied by the personnel from CCP.

**2 Administration**

**2.1 Apologies**

Tony Hall, Welland Procurement Unit Manager, and Richard Hankins, Amenity Manager sent their apologies.

**2.2 Revised Terms of Reference**

- 2.2.1 LJH updated the meeting and tabled revised ToR, as discussed at the previous meeting of the 28 February. It was

**SP to note**

**RESOLVED TO RECOMMEND** to the Policy & Resources Committee that:

- The revised Terms of Reference of the Leisure Contract Working Group (Appendix 1 to the minutes) be approved

**2.3 Minutes of the previous meeting held on 28 February 2012**

Minutes of the previous meeting were agreed as a true record.

**BW**

**3 Leisure Invest to Save Projects**

**3.1 Appointment of Leisure Contractor**

- 3.1.1 To assist the Working Group's understanding, KE provided an explanation about the different responsibilities, as far as leisure was concerned, of the Heads of Service involved in the Group.
- KE is accountable for delivery of the physical improvements to the buildings. She and Richard Hankins will be responsible for day-to-day liaison with and management of the Project Manager
  - Lisa Hyde is accountable for what happens inside the centres, including the design of the improvements, provision of new fitness equipment and periodic liaison with CCP management

She explained that it was critical to get a contractor for the improvement works approved as soon as possible.

- 3.1.2 Two companies were available to "call off" from the Scape framework. These were Kier and Mansell. It was noted that Mansell was already working with ENC on the Nene Centre roof.
- 3.1.3 Cllr DJ advocated Kier as being probably the best company in the country at the moment and Kier worked from Rushden whereas Mansell was based in Nottingham. Both CCP and Officers expressed the view that it would be easier to work with one contractor for both the Pemberton and Nene Centre projects.
- 3.1.4 The Working Group

**RESOLVED TO RECOMMEND** to the Policy & Resources Committee on 9 May 2012 that:

- Kier be appointed to undertake the improvement works for the Pemberton Centre
- Mansell be appointed to undertake the improvement works at the Nene Centre.

*( Because 1) Kier is a local employer and 2) Mansell have already been appointed to undertake the work on the Nene Centre roof)*

## 3.2 **Appointment of Project Manager**

- 3.2.1 KE noted that only Pick Everard were available to "call off" from the Scape Framework for Project management. They were a local company. She advised that the Project Manager would report direct to the LCWG on progress against time and budgets on the projects. The Chairman confirmed that no appointment would be made until a negotiated firm quote had been received from all contractors and at that point a formal contract would be prepared. The Working Group

**RESOLVED TO RECOMMEND** to Policy & Resources Committee that:

- Pick Everard be appointed to provide Project Management for all the projects.

KE left the meeting

PW and CT from CCP left the meeting for item 4.1, returned for item 4.2 then left for the rest of the meeting

## **4 Leisure Facilities Management Contract**

### **4.1 CCP written response to contract extension proposals**

4.1.1 LJH presented the written response from CCP Board to the offer by the LCWG of an 8 month extension to the Contract. CCP had advised that they would require an extension for a minimum of 3 years. The alternative would be to revert back to the original agreed date of August 2013. They would still be interested in bidding for the contract and if they were not successful they would work towards an orderly and planned handover to any new contractor.

4.1.2 LJH tabled a project timeline and stated that the Council was still presented with some significant issues relating to the Nene Centre roof replacement, which would take several months to complete. The centre would have to close at some point for the work to be carried out, and it was unlikely that it would reopen before August 2013.

4.1.3 DO confirmed, in response to a query from Cllr Jenney, that significant savings from the leisure 'Invest to Save' projects had been built into the MTFs, and advised that no savings had been assumed as a result of the management contract being re-tendered, so it was irrelevant as regards delivery of the MTFs whether the new contract started in 2013 or 2015.

### **4.2. Peter Williams – CX of CCP to address the LCWG**

4.2.1 PW provided the rationale for CCP's response. It was their view that sticking to the original August 2013 contract end date, which would require a procurement process to start now, would be difficult for everyone. The work on the Nene Centre, including the replacement of the roof, would not be complete, so the centre would be closed and prospective tenderers would in effect be visiting a building site

4.2.2 In addition, there would be little or no trading history following the completion of the improvements, particularly at the Nene Centre, for prospective bidders to base their tender prices on. They would therefore either not be willing to take the risk of bidding at all, or would price in a significant risk factor.

4.2.3 CCP's preference was for a 5-year extension, as this would give stability and CCP would be prepared to invest in future improvements. A 3-year extension would be the least they would consider, as that would give time for a full year's trading prior to the start of the procurement process. He advised that the next CCP Board meeting was on 23 April 2012, and the Council's proposal as regards and contract decision would be considered then.

### **4.3 LCWG Decision re procurement of leisure facilities management**

4.3.1 Cllr Stearn summarised the main points of CCP's proposition, noting their refusal of an 8-month extension, which left the Working Group with two options – terminate the contract at its expiry in August 2013 or grant an extension of at least 3 years.

4.3.2 Do summarised the main risks of the two options:

- He concurred with PW's assessment that termination in August 2013 would mean that potential bidders were likely either to be put off altogether or that they would price significant risk into the

contract. He also noted that CCP would probably be best placed to win the new contract in this situation.

- Extension for 3 years avoided, or at least significantly reduced, the contract pricing risk, but meant that any savings that could be achieved through a new contract would not be available for a further 2-3 years from August 2013.

4.3.3 Cllr Peacock made the group aware of the difficulties of taking on a contract and managing the Council's leisure facilities without that key financial information, a situation that she had experienced as a CCP Board member in 2003 when the organisation took over the running of the centres from the previous private sector contractor.

4.3.4 LJH stated that, if the Group was minded to give any contract extension, then the Council would require a robust business plan from CCP clearly outlining the reduced management fee they would require as a result of the improvement projects

4.3.5 LJH made reference to the Council's Procurement Strategy and the requirements contained within it regarding contract extensions. Appendix A of the strategy clause d) states, Extension of an existing services or works contract with the same supplier provided that:  
1) the circumstances for so doing were genuinely unforeseen;  
2) That such works or services are not practically separable from the original contract, or are necessary for its completion;  
3) That the value of such an extension does not exceed 50% of the original contract value;

4.3.6 Councillors debated the issues regarding contract extension further, and the advantages and disadvantages to the Council of starting the procurement process now and ending the contract at August 2013 as opposed to starting the procurement process in 2015 with a three year extension to 2016. Given the significant risks associated with termination of the contract in August 2013, the Working Group

**RESOLVED TO RECOMMEND** to Policy & Resources Committee that:

- a 3-year extension to the Leisure Facilities management contract be negotiated with CCP.

5. **Date of next meeting**

To be arranged

LJH/BW 17.4.12



## District Regeneration Working Party

**Minutes of meeting a meeting held on Tuesday 17 April 2012  
at 3.30pm at East Northamptonshire House, Cedar Drive, Thrapston**

### Present:

<b>Councillors:</b>	Cllr Steven North	SN
	Cllr David Brackenbury	DB
<b>Officers:</b>	David Oliver, Chief Executive	DO
	Sharn Matthews, Executive Director	SM
	Katy Everitt, Head of Resources & Organisational Development	KE
	Lisa Hyde, Head of Customer & Community Services	LJH
	Mike Greenway, Community Partnerships Manager	MG
	Jenny Walker, Environmental Protection Manager ( <i>deputy for MD</i> )	JW
<b>Apologies:</b>	Mike Deacon, Head of Environmental Services	MD

### **ACTION**

#### 1. **Appointment of Temporary Chair**

- 1.1. The meeting noted that the late Cllr Hardcastle had previously chaired this Working Group, and therefore a temporary chair was required. The Working Group agreed to appoint Cllr Steven North as the temporary chair.

#### 2. **Heritage Lottery Fund bid – verbal update**

- 2.1. SM provided a verbal update on the progress with a funding bid submitted to the Heritage Lottery Fund for improvements to buildings within Rushden town centre. The Working Group noted the following:-
- No further news on the bid submitted to the HLF had been received to date.
  - Response due by end-May 2012.

#### 3. **Local Infrastructure Requirements – verbal update**

- 3.1. SM provided a verbal update on the responses received to date from Town & Parish Councils on their local infrastructure requirements, in response to a letter sent in November 2011 setting out information on the new Community Infrastructure Levy, funding available for Community/Neighbourhood Plans and Masterplans.
- 3.2. SM confirmed five Town/Parish Councils were now progressing with preparing a Parish Plan. Funding for Masterplans for Higham Ferrers and Thrapston and Neighbourhood Plans for Oundle and Raunds had been approved at Policy & Resources Committee on 13 February 2012.
- 3.3. Cllr DB suggested a letter be sent to all Members from either the

Leader or Chief Executive, requesting they encourage the Town & Parish Councils and community groups within their ward to identify local infrastructure projects. The Working Group agreed to this suggestion. SM to prepare draft letter for the Leader to consider.

**SM**

- 3.4. KE noted the External Funding Manager had regular ongoing contact with community groups regarding funding advice, and that she would also have information regarding these groups and their projects. DO suggested a map be prepared plotting details of all the information we currently have on community projects received via Town & Parish Councils and from the External Funding Manager's files. KE/SM to progress with MGreenway / KBritton / SDavies.

**KE/SM**

#### 4. **New Homes Bonus**

- 4.1. LJH presented a report outlining a proposed rationale for allocating the New Homes Bonus (NHB). The report suggested three streams be created for allocating NHB to community-based projects, noted as:-

##### **Stream 1 – Member Empowerment Fund**

This stream was currently in place, with each Member receiving £1000 (previously £500) to provide funding support for community groups within their ward.

##### **Stream 2 – Community Projects**

The report suggested that this stream considers projects up to a value of £30,000, and that the District Regeneration Working Party shortlist projects and award funding.

##### **Stream 3 – Major Infrastructure Projects**

The report suggested that this stream considers projects up to a value of £30,000 up to £150,000, and that the District Regeneration Working Party shortlist projects and award funding.

- 4.2. Cllr DB noted the report, and proposed the value be increased to up to £50,000 for Stream 2. SN agreed to this proposal. Cllrs DB and SN suggested criteria for bids under these two streams include:-

- General need.
- Identified need
- Other funding being unavailable.
- Bids must be received from a constituted group.
- Any projects involving young people would need to include young people within the constituted group.

LJH agreed to prepare draft criteria for consideration at the next meeting.

**LJH**

- 4.3. SN suggested including a process to enable the public to vote on any projects received. It was also suggested that groups making bid be invited to make a presentation to Council, to enable all Members to vote on projects. Following a detailed discussion, it was agreed to put this suggestion on hold for 12 months, until further funding was available.
- 4.4. KE advised, following the Working Group's decision to increase the funding limit to £50,000 for Stream 2, that the Council's Loan Policy

would also need to be amended to include this change; KE to complete.  
The Working Group approved the draft report prepared for Policy & Resources Committee on 9 May 2012, subject to an amendment to paragraph 4.3.4 regarding the Council's Loan Policy.

**KE**

**LJH**

5. **Future Meeting Dates**

5.1. Cllr SN requested regular meetings of the Working Group be arranged; SP to identify dates as appropriate. In the meantime, the Working Group agreed to meet again after the next Policy & Resources Committee on 9 May 2012. Therefore, Monday 28 May 2012 at 11am was agreed as the date of the next meeting.

**SP**

**All**

6. **Date of Next Meeting**

Monday 28 May 2012 at 11am in Members Room (tbc).

**All**

DRWP/SP 27.4.12